

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.**

WRIT PETITION NO. 13441 OF 2021

Dilip Dayaram Sonawane

...Petitioner

Versus

Rajaram Bhivsan Mali (Died)
through His Legal Heirs
Smt. Amrutbai Rajaram Mali & Ors.

...Respondents

.....
Mr. Parikshit Mantri h/f Mr. M. S. Shah, Advocate for the petitioner
.....

**CORAM : BHARATI H. DANGRE, J.
DATE : JANUARY 27TH, 2022**

PER COURT : -

1. Heard the learned Counsel for the petitioner, who is the original plaintiff. During the pendency of the suit, he moved an application vide Exh. 311 for seeking direction to the defendant to produce the original copy of the partnership deed. The respondents denied the assertion of the plaintiff that they are in possession of the said deed. In the wake of the above, the application filed by the plaintiff vide Exh. 311 came to be rejected.

2. The learned Counsel for the petitioner on being confronted about legal position state that he shall withdraw the writ petition

challenging the impugned order and take appropriate steps as are permissible in law to enable him to lead secondary evidence.

3. The writ petition is disposed of as withdrawn.

[BHARATI H. DANGRE]
JUDGE